

REMARKS

Claims 1-10, 13-34, 36-39, 41-45, and 51-72 are currently pending in the subject application. Claims 1-10, 13-25, 27-34, 36-39, 41-45, and 51-72 have been amended as shown on pages 2-16 of the Reply.

Applicants' representative thanks Examiner Sobutka for the courtesies extended during the telephonic interview conducted on March 17, 2010. During the interview, the Examiner confirmed that claims 67-69 were inadvertently omitted from the current rejection under 35 U.S.C. §112. The Examiner also indicated that this rejection would be overcome by replacing the word "physical" in the relevant claims with the term "non-transitory," pursuant to recent USPTO interim guidelines. Claims 54-56 and 67-69 have been amended accordingly herein.

A number of additional amendments have also been made to address minor clarity and antecedent basis issues.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 54-56 Under 35 U.S.C. §112

Claims 54-56 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. In particular, the Office Action asserts that the specification does not describe the metes and bounds of the term "physical" medium, as used in those claims. Claims 54-56 have been amended herein to incorporate language recommended by the Examiner for overcoming this rejection. Claims 67-69 have been similarly amended. Withdrawal of this rejection is therefore respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 17-0026.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

Dated: 4/1/10

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